



## Legislation Text

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**File #:** RES PH 19-259, **Version:** 1

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Approving the application of University of St. Thomas for a sound level variance for amplified sound on August 30, 2019 for the University of St. Thomas Welcome Days at O'Shaughnessy Stadium, 2115 Summit Avenue.

WHEREAS, Chapter 293 of the Saint Paul Legislative Code was enacted to regulate the subject of noise in the City of Saint Paul; and

WHEREAS, §293.09 provides for the granting of variances from the sound level limitations contained in §293.07, upon a finding by the City Council that full compliance with Chapter 293 would constitute an unreasonable hardship on the applicant, other persons or on the community; and

WHEREAS, William R. Carter, III, Special Projects Manager, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level of 95 dBA at 50 feet to present announcements and activities with speakers at O'Shaughnessy Stadium at the University of St. Thomas, 2115 Summit Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 7:00 p.m. to 9:00 p.m., with a pre-event sound check from 4:00 p.m. to 5:30 p.m., on Friday, August 30, 2019 to present announcements and activities with speakers; and

WHEREAS, if applicant is not granted a variance, applicant will not be able to have amplified sound during Welcome Days event at O'Shaughnessy Stadium; and

WHEREAS, the Department of Safety and Inspections has reviewed the application and has made recommendations regarding conditions for the variance; now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to University of St. Thomas subject to the following conditions:

- 1) The Variance will be for amplified sound with speakers during the hours of 7:00 p.m. to 9:00 p.m., with a pre-event sound check from 4:00 p.m. to 5:30 p.m. on Friday, August 30, 2019.
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the music must not exceed 95 dBA as measured 50 feet from sound source.
- 3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 9:00 p.m. on Friday, August 30, 2019.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

University of St. Thomas has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound with speakers, from 7:00 p.m. to 9:00 p.m., with a pre-event sound check

from 4:00 p.m. until 5:30 p.m., on Friday, August 30, 2019 for amplified sound at O'Shaughnessy Stadium at the University of St. Thomas, 2115 Summit Avenue. Chapter 293.09 provides for the granting of variances from the sound level limitations contained in Chapter 293.07.

Was proper notice given? YES - See Attachments